

**REMARKS**

Pursuant to 37 CFR § 41.50(b)(1) pending claims 1, and 4 – 10 have been amended. Claims 2, 3, and 11 – 20 have been canceled. New claims 21 – 26 have been added. The subject matter of amended claims 1, 4 – 10, and 21 – 26 is supported in Applicants original filed specification at least with respect to figures 2 through 5 and the related detailed description. Accordingly, the claim amendments add no new matter to the present application. Reconsideration and allowance of the present application and claims are respectfully requested.

**Claim Rejections Under 35 U.S.C. § 112**

**Claims 1 and 4 – 10**

Claims 1 and 4 – 10 presently stand rejected under 35 U.S.C. §112, first paragraph because the application allegedly does not provide enablement for claim 1, which covers any and all logic embodiments including “non-equivalents,” which perform the functions recited in claim 1. Applicant’s claim 1, as amended, is no longer directed to an apparatus comprising “logic” configured to occlusion test primitives in a graphics pipeline. Applicant’s claim 1, as amended, is directed to subject matter presented in FIGs. 2 – 5 and described in the detailed description associated with at least these drawings. Consequently, Applicant respectfully submits the new grounds of rejection of claims 1 and 4 – 10 has been overcome. Accordingly, Applicant requests that the rejection of claims 1 and 4 – 10 under 35 U.S.C. §112, first paragraph be withdrawn.

**Claim Rejections Under 35 U.S.C. § 103**

**Claims 1, 4 – 11, and 14 – 18**

Claims 1, 4 – 11, and 14 – 18 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent 5,579,455 to Greene, hereafter *Greene* and U.S. Patent 6,008,035 to Sudarsky, hereafter *Sudarsky*. Claims 11 and 14 – 18 have been canceled. Consequently, the rejection of claims 11 and 14 – 18 is rendered moot.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable

expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claim 1, as amended, requires elements that are not disclosed, taught, or suggested in the cited references. Claim 1 is directed to a multi-function unit of a graphics system. The multi-function unit includes a hierarchical tiler, a parameter interpolator, a pixel-level comparator, and "a memory unit coupled to the hierarchical tiler and the pixel-level comparator, the memory unit configured to store a change in a Z-pyramid data structure responsive to an occlusion test result before the pixel-level comparator determines which pixel level values need to be written by the frame buffer controller." The prior art fails to disclose, teach, or suggest at least Applicant's claimed memory unit. Thus, the proposed combination fails to establish a *prima facie* case of obviousness and is improper. Accordingly, for at least this reason, the rejection of claims 1 and 4 – 10 should be withdrawn.

#### New Claims 21 - 26

Claims 21 – 26 depend indirectly from amended independent claim and include all the features of independent claim 1. Thus, for at least the reason that independent claim 1 is allowable, claims 21 – 26 are allowable over the art of record.

#### CONCLUSION


Claims 1, 4 – 10, and 21 – 26 remain pending in the present application. Applicant respectfully requests that the outstanding rejection of claims 1 and 4 – 10 be withdrawn and that this application and all pending claims, including new claims 21 – 26 be allowed to issue. If the Examiner has any comments regarding Applicant's response or intends to dispose of this matter in a manner other than a notice of allowance, Applicant requests that the Examiner telephone Applicant's undersigned attorney.

Respectfully submitted,

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